

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD OF PREPARING A POORLY CRYSTALLINE CALCIUM PHOSPHATE AND METHODS OF ITS USE, the specification of which

☐ was filed on April 12, 1999 as Application Serial No. 09/284,297 and was described and claimed in PCT International Application No. PCT/US97/18631 filed on October 16, 1997 and as amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

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| Country | Serial Number  | Filing Date     | Priority Claimed? |
|---------|----------------|-----------------|-------------------|
| PCT     | PCT/US97/18631 | 16 October 1997 | <u>Yes</u>        |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

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|---------------|-----------------|---------|
| 08/732,016    | 16 October 1996 | Pending |
| 08/729,344    | 16 October 1996 | Pending |
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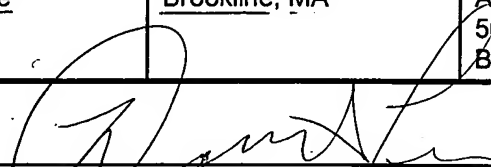
I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Paul T. Clark, Reg. No. 30,162, Karen L. Elbing, Ph.D. Reg. No. 35,238, Kristina Bieker-Brady, Ph.D. Reg. No. 39,109, Susan M. Michaud, Ph.D. Reg. No. 42,885, Mary Rose Scozzafava, Reg. No. 36,268.

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| Full Name<br>(First, Middle, Last)   | Residence Address<br>(City, State, Country) | Post Office Address<br>(Street, City, State, Country) | Citizenship   |
|--|---|---|---------------|
| Dosuk D. Lee   | Brookline, MA                               | Apt. 518<br>50 Longwood Avenue<br>Brookline, MA 02146 | U.S.A.        |
| Signature:  |   |   | Date: 6/21/00 |

| Full Name<br>(First, Middle, Last) | Residence Address<br>(City, State, Country) | Post Office Address<br>(Street, City, State, Country)          | Citizenship |
|------------------------------------|---|--|-------------|
| Christian Rey                      | Aureville, Castanet,<br>France              | Lieu-dit "Les Dames"<br>Aureville, F-31320<br>Castanet, France | France      |
| Signature:                         |   |  | Date:       |

| Full Name<br>(First, Middle, Last) | Residence Address<br>(City, State, Country) | Post Office Address<br>(Street, City, State, Country) | Citizenship |
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| Maria Aiolova                      | Brookline, MA                               | 123 Seawall Avenue<br>Brookline, MA 02146             | U.S.A.      |
| Signature:                         |   |   | Date:       |

| Full Name<br>(First, Middle, Last) | Residence Address<br>(City, State, Country) | Post Office Address<br>(Street, City, State, Country) | Citizenship |
|------------------------------------|---|---|-------------|
| Aliassghar Tofighi                 | Belmont, MA                                 | 204 Waverly Street<br>Belmont, MA 02178               | France      |
| Signature:                         |   |   | Date:       |

PATENT

ATTORNEY DOCKET NO: 04712/02000G

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☐ was filed on April 12, 1999 as Application Serial No. 09/284,297 and was described and claimed in PCT International Application No. PCT/US97/18631 filed on October 16, 1997 and as amended under PCT Article 19 on \_\_\_\_\_.

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| Dosuk D. Lee                       | Brookline, MA                               | Apt. 518<br>50 Longwood Avenue<br>Brookline, MA 02146 | U.S.A.      |
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| Christian Rey  | Aureville, Castanet, FRX<br>France          | Lieu-dit "Les Dames"<br>Aureville, F-31320<br>Castanet, France | France        |
| Signature:  |   |  | Date: 6-26-00 |

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| Maria Aiolova                      | Brookline, MA                               | 123 Seawall Avenue<br>Brookline, MA 02146             | U.S.A.      |
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| <u>Maria Aiolo</u>                 | <u>Brookline, MA</u>                        | 123 Seawall Avenue<br>Brookline, MA 02146             | U.S.A.         |
| Signature: <i>M. Aiolo</i>         |   |   | Date: 5.7.2000 |

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| Signature:  |   |   | Date: 6/21/00 |



533 Rec'd PCT/PTO 05 JUL 2000

PATENT #8  
ATTORNEY DOCKET NO. 04712/02000G

| Certificate of Mailing  |   |
|---|---|
| Date of Deposit: <u>July 5, 2000</u>  | Label Number: <u>EL419587164US</u>                                  |
| I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231. |   |
| <u>Elvis DeLaCruz</u><br>Printed name of person mailing correspondence  | <u>Elvis DeLaCruz</u><br>Signature of person mailing correspondence |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dosuk D. Lee et al.

Art Unit:

Serial No.: 09/284,297

U.S. Filing Date: April 12, 1999

PCT Serial No. PCT/US97/18631

PCT Filing Date: October 16, 1997

Title: METHOD OF PREPARING A POORLY CRYSTALLINE  
CALCIUM PHOSPHATE AND METHODS OF ITS USE

Box PCT

Assistant Commissioner for Patents

Washington, D.C. 20231

ATTN: PCT Legal Office

RENEWED PETITION UNDER CFR §1.48(a)

Applicants hereby renew their petition for correction of inventorship under 37 CFR §1.48(a) and request reconsideration on the merits of the petition previously submitted on February 25, 2000, in view of documents submitted herewith.

In reply to the Decision on Petition under 37 CFR 1.48(a) mailed June 7, 2000, a copy of the following documents is enclosed.

- ☒ Combined Declaration and Power of Attorney under 37 CFR §1.56(a) executed by actual inventors.

In the decision dated June 7, 2000, the Legal Examiner considered the declaration filed on 13 July 1999 deficient because the declaration did not make clear that each inventor signed a complete copy of the declaration.

Applicants submit herewith newly executed Combined Oath and Declarations from all of the named inventors. Each inventor signed a complete copy of the document and the Declaration is proper.

In view of the supplemental documentation, it is submitted that the Petition to Correct Inventorship is in condition for grant.

If there are any charges, or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: July 5, 2000

Mary Rose Scozzafava  
Mary Rose Scozzafava, Ph.D.  
Reg. No. 36,268

Clark & Elbing LLP  
176 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045

04712.02000F Renewed Petition Under 37 CFR 1.48(a) 2nd.wpd